

## REMARKS/ARGUMENTS

In the Office Action mailed January 27, 2009, claims 1, 5, 6, 8, and 10 were rejected. Additionally, claims 2 – 4, 7, and 9 were objected to, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. In response, Applicant has amended claims 1, 3, 4, and 8, canceled claims 2 and 9 and, and added claims 11 – 16. Applicant hereby requests reconsideration of the application in view of the amendments and the below-provided remarks.

For reference, claim 1 is amended to change the term “base contact” to the term “body contact” as suggested in the Office action.

### Allowable Subject Matter

Applicants appreciate the Examiner’s review of and determination that claims 2 – 4, 7, and 9 recite allowable subject matter. In particular, the Office Action states that claims 2 – 4, 7, and 9 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

### Claim 1 (1 +2)

Claim 1 is amended to include all of the limitations of claims 1 and 2. Because claim 2 recites allowable subject matter, Applicant asserts that amended claim 1 is in allowable condition.

Claims 3 – 7 are dependent on amended claim 1. Claims 3 – 7 are allowable at least based on an allowable amended claim 1.

### Claim 8 (8 +9)

Claim 8 is amended to include all of the limitations of claims 8 and 9. Because claim 9 recites allowable subject matter, Applicant asserts that amended claim 8 is in allowable condition.

Claim 10 is dependent on amended claim 8. Claim 8 is allowable at least based on an allowable amended claim 10.

New claim 11 (1 + 7)

New claim 11 includes all of the limitations of claims 1 and 7 as previously presented. Because claim 7 was indicated to recite allowable subject matter, Applicant asserts that new claim 11 is in allowable condition.

Claims 12 – 16 are dependent on claim 11 and are the same as dependent claims 2 – 6. Claims 12 – 16 are allowable at least based on an allowable claim 11.

Claim Rejections under 35 U.S.C. 102 and 103

Claims 1 and 5 were rejected under 35 U.S.C. 102 (b) as being anticipated by Uesugi et al. (U.S. Pat. No. 5,708,286, hereinafter Uesugi). Claims 6, 8 and 10 were rejected under 35 U.S.C. 102 (b) as being anticipated by or, in the alternative, under 35 U.S.C. 103 (a) as obvious over Uesugi. Claims 1, 5, and 6 were rejected under 35 U.S.C. 102 (e) as obvious over rejected under 35 U.S.C. 103(a) as obvious over Schaffer (U.S. Pat. No. 7,253,475). However, Applicant respectfully submits that these rejections are rendered moot by the above-identified amended claims and new claims.

**CONCLUSION**

Generally, in this Amendment and Response, Applicants have not raised all possible grounds for (a) traversing the rejections of the Action or (b) patentably distinguishing any new claims (i.e., over the Cited References or otherwise). Applicants however, reserve the right to explicate and expand on any ground already raised and/or to raise other grounds for traversing and/or for distinguishing, including, without limitation, by explaining and/or distinguishing the subject matter of the Application and/or any cited reference at a later time (e.g., in the event that this Application does not proceed to issue with the claims as herein amended, or in the context of a continuing application). Applicants submit that nothing herein is, or should be deemed to be, a disclaimer of any rights, acquiescence in any rejection, or a waiver of any arguments that might have been raised but were not raised herein, or otherwise in the prosecution of this Application, whether as to the original claims or as to any of the new claims, or otherwise. Without

limiting the generality of the foregoing, Applicants reserve the right to reintroduce one or more of the original claims in original form or otherwise so as to claim the subject matter of those claims, both/either at a later time in prosecuting this Application or in the context of a continuing application.

Applicant respectfully requests reconsideration of the claims in view of the amended claims, the new claims, and the remarks made herein. A notice of allowance is earnestly solicited.

At any time during the pendency of this application, please charge any fees required or credit any over payment to Deposit Account **50-4019** pursuant to 37 C.F.R. 1.25. Additionally, please charge any fees to Deposit Account **50-4019** under 37 C.F.R. 1.16, 1.17, 1.19, 1.20 and 1.21.

Respectfully submitted,

/mark a. wilson/

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